

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, on rollcall No. 49. Had I been present, I would have voted "aye."

Mr. VAN HOLLEN. Mr. Speaker, on rollcall Nos. 47, 48, and 49, I was unavoidably detained. Had I been present, I would have voted "aye" on these rollcalls.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 684

Mrs. JONES of Ohio. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 684, the District of Columbia Student Opportunity Scholarship Act of 2003. I was signed on by mistake.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at noon), the House stood in recess subject to the call of the Chair.

□ 1301

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LATOURETTE) at 1 o'clock and 1 minute p.m.

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, I yield to the gentleman from Texas (Mr. DELAY), the distinguished majority leader for purposes of inquiring about the calendar.

Mr. DELAY. Mr. Speaker, I appreciate the Whip yielding to me, and I would note, Mr. Speaker, that the House has completed its business for the week.

While we expected to consider the Armed Services Tax Fairness Act today, some problems with the bill have arisen, and we intend to work through those problems over the next several days and hope to consider the bill in the very near future.

Mr. Speaker, if the gentleman would continue to yield.

Mr. HOYER. I would be glad to yield to my friend.

Mr. DELAY. The House will convene on Tuesday at 12:30 p.m. for morning hour and 2 p.m. for legislative business. We will consider several measures under suspension of the rules. A final list of those bills will be sent to the Members' offices early next week. There will be no votes in the House before 6:30 on Tuesday.

On Wednesday, we expect to consider several health-related measures: the

Automatic Defibrillation in Adam's Memory Act, the Organ Donation Improvement Act, the Mosquito Abatement for Safety and Health Act, the Birth Defects and Developmental Disabilities Prevention Act. We will also consider a bill addressing medical errors. We expect several of those measures to be considered under suspension of the rules.

On Thursday, we expect to consider H.R. 5, the HEALTH Act, to improve patients' access to health care and reduce health care costs by reforming our medical liability system, and that is the schedule for next week.

I thank the gentleman for yielding and happy to answer any questions.

Mr. HOYER. Mr. Speaker, I thank the gentleman for his information.

I want to tell the gentleman I am of two minds on the fact that we have removed from floor consideration the Armed Forces Tax Fairness Act. Of two minds because I think all of us agree that the underlying bill was a bill that we should have passed today, indeed yesterday or the day before yesterday. It is an Act that tells our service people that we are sending into harm's way that we want to make sure that we can limit the financial consequences of that service to country, as much as we possibly can.

So I lament the fact that we have had that removed from the schedule. However, I say I am of two minds because I am pleased that it was removed because we added to that bill extraneous pieces of legislation, which in and of themselves individually may have been subject to worthy debate. There was some in there that I thought were not, but having said that, I would hope that when this bill is reported back that it can be presented in a form that all 435 of us can vote for, because 435 of us, in my opinion, are for it.

So, as I say, I am of two minds. I am sorry that it is delayed, but I am sure that it will come back, hopefully soon, and that we can pass it in the form that all of us support it, and I would ask the gentleman, in that vein, does the gentleman know if this bill will be coming back next week?

Mr. DELAY. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Speaker, first, I appreciate the gentleman's concerns. I might also add, the gentleman should never have to apologize for a delay, but as the gentleman knows, the Committee on Ways and Means worked on this bill and marked it up last week in open process and within the rules of their committee and the House and many of the provisions that were added to the Military Tax Fairness bill were added, in many cases, by voice vote and unanimous votes. Some were controversial, but the committee acted in good faith and marked up the bill and there was full participation by every Member on that committee.

Unfortunately, as the bill headed towards the floor, as the gentleman

knows, there were concerns raised by our Members and as well as the gentleman's Members, and we felt compelled that we needed to address those concerns before we actually bring it to the floor, and that is what we are going to try to do in the next several days, and hopefully, we will get a bill that everybody can vote for.

Mr. HOYER. Mr. Speaker, I thank the gentleman for that information.

To press the point, I understand that my colleagues need to work on that and try to work out whatever problems existed, but in light of that, it is the gentleman's expectation he will be able to work out those problems next week so we can pass this bill in a form that will allow us to pass it with the overwhelming support that I think it has on this floor if it is the base bill? I yield to my friend.

Mr. DELAY. Mr. Speaker, I appreciate the gentleman yielding.

I want this bill as much as anybody. It is very, very important, as the gentleman has already stated. It is important to give our military families the tax relief that they deserve, and we want to do this.

I remind the gentleman that this bill, the Military Armed Services Tax Fairness Act, has passed this House almost unanimously twice, and we hope that we can get it up here just as soon as possible. As soon as we get everything ironed out and the bill ripens a little bit, we will bring it to the floor.

Mr. HOYER. Reclaiming my time, and in an effort again to be helpful, I think that the majority leader is correct. Everybody wants this bill to pass, and the shame of it not passing today is, I am sure the gentleman shares, is that we somehow sent a message to our Armed Forces personnel arrayed across this globe, and particularly in the Middle East, at risk and they look to this capital and know full well that this bill is passed with over 400 votes and must be concluding to themselves that it was politics and political division that undermined the passage this day.

So I know my colleague is working towards this objective. This is not a criticism of the gentleman, and it was an open session in the Committee on Ways and Means, and as my colleague recalls, I am sure, the gentleman from Iowa (Mr. NUSSLE), the chairman of the Committee on the Budget, a Republican, raised the issue that this was a real problem, in open session, in committee.

So it was obviously on both sides of the aisle that we are concerned about the fact that we politicized an otherwise bipartisan, nonpartisan objective that we wanted to achieve, and I look forward to that coming back hopefully in the posture that it was in when we, 400 of us plus, came together to pass that legislation. So I would hope that can happen.

Mr. DELAY. Mr. Speaker, if the gentleman would yield.

Mr. HOYER. I would be glad to yield to my friend.